IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 1715 of 1996

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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SHASHIKANT NANECHAND NANECHAND NARECHANIYA - Petitioner(s)
Versus
UKO BANK & 2 - Respondent(s)

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Appearance :
MR AJ SHASTRI for Petitioner(s) : 1,
SERVED BY RPAD - (N) for Respondent(s) : 1,
MR TUSHAR MEHTA for Respondent(s) : 2 - 3.

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH
Date : 20/09/2006

ORAL JUDGMENT

By way of this petition under Article 226 of the Constitution of India, the petitioner has prayed for an appropriate order directing the respondent Bank to give deemed date of promotion

to the petitioner with effect from September 1987 with all consequential benefits.

2. Today, when the matter is called out Shri Tushar Mehta, learned advocate appearing for respondent No.1 has submitted that in the facts and circumstances of the case petitioner may be allowed to move an appropriate representation to the competent authority of respondent No.1 Bank for consideration by the appropriate authority.

3. In the facts and circumstances of the case, let the petitioner move an appropriate representation before the appropriate authority of the respondent Bank pointing out the grievances made in the present petition and if such a representation is made within a period of 4 weeks from today, the competent authority of the respondent No.1 is directed to consider the same in accordance with law and on merits within the period of 3 months thereafter and communicate

the outcome thereof to the petitioner. If the decision is adverse to the petitioner, it will be open for the petitioner to challenge the same as well as to pray for the relief which is prayed in the present Special Civil Application by way of a fresh petition. This petition is accordingly disposed of. Rule is discharged. No costs.

[M.R. Shah,J.]

rmr.